

Notice of Allowability**Application No.**

10/698,180

Applicant(s)

UPADHYA ET AL.

Examiner

Ljiljana (Lil) V. Ciric

Art Unit

3744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the telephonic interview on January 7, 2009 and the reply filed on 9 May 2008.
2. ☒ The allowed claim(s) is/are 1-75 and 94-109.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20090107.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Ljiljana (Lil) V. Ciric/
Primary Examiner, Art Unit 3744

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 03/19/2004, 03/22/2004, 07/31/2008, 10/06/2008, 02/13/2009, 02/20/2009, 04/13/2009, 05/07/2009.

EXAMINER'S AMENDMENT/COMMENT

1. Upon reconsideration in view of the telephonic interview on January 7, 2009, the finality of the Office action mailed on August 6, 2008 is hereby withdrawn and that Office action vacated.
2. None of the after final amendments have been entered.
3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Thomas B. Haverstock, Registration No. 32,571, on January 7, 2009.

4. The application has been amended as follows:

In the claims (see claims listing dated May 9, 2008):

Claim 1, line 4: Delete "exhaust" and replace with -outlet--.

Claim 1, line 7: Immediately following "fluid flow", insert -at the inlet side--.

Claim 1, line 8: Delete "exhaust" and replace with -outlet--.

Claim 1, line 9: Delete "exhaust" and replace with -outlet--.

Claim 1, line 10: Delete "exhaust" and replace with -outlet--.

Claim 1, line 14: Immediately following "coupled to the", insert -plurality of--.

Claim 2, line 2: Immediately following "within", replace "the" with -a--.

Claim 4, line 2: Immediately following "in", replace "the" with -a--.

Claim 6, line 2: Immediately following "within", replace "the" with -a--.

Claim 7, line 2: Immediately following "within", replace "the" with -a--.

Claim 8, line 2: Immediately following "within", replace "the" with -a--.

Claim 10, line 2: Immediately following "within", replace "the" with -a--.

Claim 11, line 2: Immediately following "within", replace "the" with -a--.

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Claim 12, line 2: Immediately following “within”, replace “the” with –a--.

Claim 14, line 3: Immediately following “within”, replace “the” with –a--.

Claim 15, line 2: Immediately following “within”, replace “the” with –a--.

Claim 16, line 2: Immediately following “within”, replace “the” with –a--.

Claim 48, line 3: Delete “exhaust” and replace with –outlet--.

Claim 48, line 7: Immediately following “fluid flow”, insert –at the inlet side--.

Claim 48, line 8: Delete “exhaust” and replace with –outlet--.

Claim 48, line 9: Delete “exhaust” and replace with –outlet--.

Claim 48, line 10: Delete “exhaust” and replace with –outlet--.

Claim 48, line 14: Immediately following “coupled to the”, insert –plurality of--.

Claim 51, line 2: Immediately following “in”, replace “the” with –a--.

Claim 53, line 2: Immediately following “within”, replace “the” with –a--.

Claim 54, line 2: Immediately following “within”, replace “the” with –a--.

Claim 55, line 2: Immediately following “within”, replace “the” with –a--.

Claim 57, line 2: Immediately following “within”, replace “the” with –a--.

Claim 58, line 2: Immediately following “within”, replace “the” with –a--.

Claim 59, line 2: Immediately following “within”, replace “the” with –a--.

Claim 61, line 3: Immediately following “within”, replace “the” with –a--.

Claim 62, line 2: Immediately following “within”, replace “the” with –a--.

Claim 63, line 2: Immediately following “within”, replace “the” with –a--.

Claim 68, line 2: Immediately following “in”, replace “the” with –a--.

Claim 69, line 2: Immediately following “in”, replace “the” with –a--.

Claim 70, line 1: Immediately following “between the”, delete “the”.

Claim 70, line 2: Immediately following “in”, replace “the” with –a--.

Cancel claims 76 through 93 drawn to the non-elected Group II.

Claim 96, line 2: Immediately following "in", replace "the" with --a--.

Claim 98, line 2: Immediately following "within", replace "the" with --a--.

Claim 99, line 2: Immediately following "within", replace "the" with --a--.

Claim 100, line 2: Immediately following "within", replace "the" with --a--.

Claim 102, line 2: Immediately following "within", replace "the" with --a--.

Claim 103, line 2: Immediately following "within", replace "the" with --a--.

Claim 104, line 2: Immediately following "within", replace "the" with --a--.

Claim 106, line 3: Immediately following "within", replace "the" with --a--.

Claim 107, line 2: Immediately following "within", replace "the" with --a--.

Claim 108, line 2: Immediately following "within", replace "the" with --a--.

5. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figures 3A and 3B should be revised as shown in the attached mark-up in order to more clearly correspond with regard to the reference characters, etc., to the description in the originally filed specification. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ljiljana (Lil) V. Ciric whose telephone number is 571-272-4909. The examiner works a flexible work schedule but can normally be reached on most days during the work week between the hours of 10:30 a.m. and 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on 571-272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ljiljana (Lil) V. Ciric/

Primary Examiner, Art Unit 3744